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May 5, 2004

Excerpt from "OFF THE RECORD"

Turd Watch

by Bruce Anderson

THE CITY OF UKIAH is about to lose somewhere between \$50,000 and \$100,000 to a shakedown outfit called River Watch, in living big screen reality a scam operated by Jack Silver, a crooked lawyer operating from behind a bogus non-profit at a mail drop in Occidental, West Sonoma County. River Watch, i.e. Silver, claims Ukiah's wastewater treatment facility is operating in violation of the federal Clean Water Act.

SILVER doesn't sue private parties because private parties are more likely to fight back or won't have the means to pay Silver to go away, thus nullifying Silver's motive for threatening to sue them in the first place. Silver's preferred shakedown method is to write a lawyer's letter to his designated target saying unless he's paid upwards of \$25,000 to go away he'll sue. Then he'll cite either a violation he's found in the Water Quality files or a violation he perceives to exist.

JACK SILVER knows public entities are easy marks because their insurers not only have the money, they'll hand it over without a lot of fuss. The only people hurt are the taxpayers, and the Silvers of the world, like the Mafia, see us and our representatives as patsies.

ONCE A PUBLIC ENTITY coughs up Silver's go away money, he claims his jive River Watch organization — a bogus non-profit consisting of Silver's brother, Silver's secretary and, last time I looked, a couple of his girl friends — takes part of the "settlement" money and does good for the environment with it.

IN FACT, Silver keeps almost all the money. When he sued the City of Fortuna, and Fortuna dropped out in the second round of litigation because it was too costly to continue, Silver allegedly planted a few trees along the Eel to keep alive his non-profit status as an environmental charity.

THE GUY has found loopholes in the federal Clean Water Act which allow him to grab off nice hunks of public money from NorCal cities and towns because these entities often are in *technical* violation of the Clean Water Act. *Technical* violation. It's not as if Ukiah or Fortuna is off-loading community turds into the Eel and Russian rivers.

LOTS OF NORTHCOAST towns have paid Silver upwards of \$100,000 rather than fight him at the appellate level of injustice. Fortuna, Fort Bragg, Santa Rosa, Willits, Ferndale, and many other local entities have paid him to go away. Our alleged Congressman, Mike Thompson, was supposedly looking into modifying the Clean Water Act in ways that would protect local entities from Silver's raids on their treasuries, but...

SILVER, or one of his slimy associates, lately a creepy character called Toben Dilworth, camps out at the State Water Quality Office in Santa Rosa. When a Water Quality inspector returns with results of reviews of municipal water and sewage treatment plants, invariably finding some non-harmful technical operating violation, Silver immediately writes a letter to the offending municipality saying, "Send me \$50,000 or I'll sue the shit out of your publicly-indemnified, deep pockets ass." And the city pays, grumbling all the way, because it costs more to fight the RiverWatch crooks than it costs to pay them off. (The Mafia says, "Pay us or we'll break your legs.")

PHONY-BALONEY RIVER WATCH'S suit against Ukiah alleges that discharges from the city's sewer plant are polluting the nearby Russian River. River Watch says aging sewer lines "*may be leaking*, increasing levels of pollutants *possibly* entering the river." (A large camp of drunks and drug addicts constitute an ongoing hazard to the Russian River, not Ukiah's well-run sewage treatment plant. Of course Silver is unlikely to sue the multi-substance abuser encampment because all he'd get were 50 Safeway carts.) Silver's bogus suit against Ukiah also alleges the city is "inadequately monitoring for groundwater contamination, including pollutants at storage ponds adjacent to the river." Which is straight-up untrue.

RIVER WATCH-SILVER's suit v. Ukiah demands that the city remedy the alleged problems or pay \$27,500 *per violation per day* for violating the Clean Water Act. The City would also ordered to pay River Watch's attorneys' fees and costs in the lawsuit, which of course is the true reason for Silver's "concern" for the Russian River.

UKIAH says it isn't violating the Clean Water Act and wonders if Silver is reading the same law Ukiah is. Prediction: Ukiah will settle with Silver because it's cheaper than fighting him, and Silver-RiverWatch will move on to their next warm-blooded, cash-flush host.

THE JUSTICE DEPARTMENT denounced Silver's fees in the Fortuna case as "excessive, " adding that Silver's RiverWatch was *unlikely* to do any ecological good for Fortuna because River Watch's plans "were so vague and lacking in binding force that it will not resolve whatever matters it is intended to redress."

(I DEBATED the smarmy-voiced Silver on KSRO a couple of years ago. He struck me as a standard-issue passive-aggressive of the pseudo-environmental type prevalent on the Northcoast — self-aggrandizing, mercenary, dishonest, inarticulate when challenged. If I could have reached through the phone and smacked him one, I'd have done it because he was witlessly snide in a personal way that guys like him *never* risk face-to-face.)